

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JOSEPHINE TORRES, *on behalf of herself  
and all others similarly situated,*

Plaintiff,

-against-

KOHLBERG, KRAVIS, ROBERTS & CO  
L.P. et al.,

Defendants.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 4/12/2021

1:20-cv-5025 (MKV)

ORDER

MARY KAY VYSKOCIL, United States District Judge:

This case is assigned to my docket and there is a pending motion to dismiss, transfer, or stay the case [ECF #35, 36, 38, 39]. The purpose of this Order is to advise the parties and counsel of a potential conflict of interest that may require my recusal, even though I have no doubt that I can fairly and impartially preside over this case. Specifically, the law firm Simpson Thacher & Bartlett LLP (“Simpson Thacher”), where I was a partner until March 2016, has done substantial work on behalf of Defendant Kohlberg, Kravis, Roberts & Co L.P. (“KKR”) over the years. Indeed, KKR was one of Simpson Thacher’s largest clients while I was there and, to my knowledge, remains so.

As counsel presumably knows, I spent my entire pre-judicial career of 32-plus years at Simpson Thacher. The General Counsel of KKR is a former Simpson Thacher partner. I currently receive a pension from Simpson Thacher, which is derived, at least in part, from the substantial revenue the firm receives from KKR.

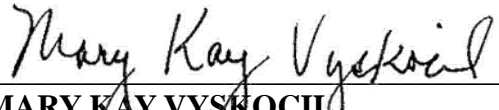
While Simpson Thacher does not represent KKR, or any of the defendants in this case, I believe the Canons of Judicial Ethics require me to disclose this information and to entertain

motions for me to recuse myself. I do not believe my recusal is mandatory and, as stated, I have no doubt that I can preside over this case fairly and impartially.

Accordingly, IT IS HEREBY ORDERED that any motion seeking my recusal must be filed by May 3, 2021. In the interim, the Court will refrain from deciding the pending motion.

**SO ORDERED.**

**Date: April 12, 2021**  
**New York, NY**

  
**MARY KAY VYSKOČIL**  
**United States District Judge**